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COMMITTEE ON THE RIGHTS OF THE CHILD

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 44 OF THE CONVENTION

Initial reports of States parties due in 1992

Addendum

SIERRA LEONE

[10 April 1996]

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I. BACKGROUND

A. Land and people

1. The Republic of Sierra Leone is on the west coast of Africa, bounded on the north and east by Guinea, on the south-east by Liberia and on the south-west and west by the Atlantic Ocean. It lies between latitudes 6-10° and 10-13° west.

2. The country covers an area of approximately 71,400 sq km, i.e. 27,700 square miles, and has a tropical climate with high humidity and temperatures averaging 27° C.

3. In 1992 the population was estimated at 4.1 million yielding an overall population density of 55 persons per sq km. The capital, Freetown, then had a population of about 795,000 and the two largest towns in the interior, Bo and Kenema, had populations of 91,000 and 98,000 respectively. As a result of massive displacement due to the four-year-old conflict, it is now estimated that there are 1.5 million people living in Freetown, 400,000 in Bo and 200,00 in Kenema.

4. The population of the country is composed of 18 different ethnic groups, with English as the official language and Krio serving as the lingua franca. About 75 per cent of the population are Muslims, a little over 23 per cent are Christians and less than 1 per cent practise traditional animism.

B. Socio-political situation

5. Sierra Leone, a former British colony, became an independent country in 1961 and a republic in 1971. The country is divided into 12 districts with three provinces, viz northern, southern and eastern, plus the Western Area where the capital, Freetown, is located. Sierra Leone became a member of the United Nations in 1961 after its independence.

6. On 30 September 1990, Sierra Leone joined other world leaders at the World Summit for Children where the head of State signed both the Declaration and the Plan of Action for implementing the survival, protection and development goals for children by the year 2000. Sierra Leone also participated in the Conference on Assistance to African Children organized by the Organization of African Unity (OAU) in Dakar in November 1992, where it reaffirmed its commitment to the World Summit goals for children and engaged in dialogue with the international community on ways to achieve the goals.

7. However, the socio-political environment since Sierra Leone ratified the Convention on the Rights of the Child in 1990 has been characterized by economic difficulties, increasing mass poverty, deterioration of social services and amenities and a rebel war. The economic bases, agricultural and mineral production, experienced increasing declines during the period coupled with large budgetary and balance of payments deficits. The per capita income at $210, is about one half that of 1980. From being a net exporter of rice, the country now imports 40 per cent of this its main staple food. The

official currency, the leone, was devalued from 2.5 to the dollar in 1984 to 620 in 1994. Inevitably, this meant less family resources to meet the basic needs of children and other family members.

8. The change of government, by a bloodless military coup d'etat in April 1992, reintroduced functional governance and saw the return of the World Bank and donors. Two years after, the economy was pronounced healthy by the Bretton Woods institutions; the rate of inflation drastically reduced from 111.5 per cent in 1991 to 21 per cent by 1993, and macroeconomic programmes of structural adjustment as well as remedial Social Action for Poverty Alleviation (SAPA) programmes were in place. A constitutional programme towards democratization was introduced, as well as the restoration of basic public amenities and social and physical infrastructure to provide increased access to basic services.

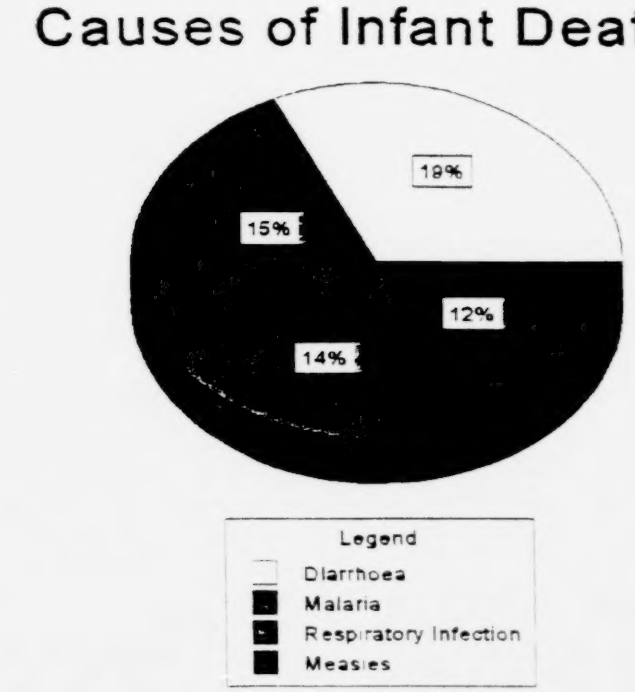
9. While all these and other such measures had restored some hope, the war has dislocated the economic and social structures resulting in adverse effects on family income, seriously affecting the quantity and quality of care for children. This constituted a major setback to the Government's capacity to pursue its main socio-economic development objectives. The war has affected 12 out of the 13 districts of the country with 1.5 million people internally displaced and 340,000 refugees in neighbouring Guinea. The loss of people's lives and government revenue has paralysed the economy because the war area is both the economic epicentre and the main staple food (rice) producer of the country. The war has further damaged infrastructure, disrupted social structures, increased the incidence of diseases and malnutrition and disrupted the educational system. Hundreds of children have been orphaned and up to 2,500 children have been involved in the war suffering severe trauma as combatants. It is also estimated that there are 5,000 street and unaccompanied children in Freetown and the other urban towns. Consequently, abject poverty has increased and now engulfs over 70 per cent of the population and, as is true to the nature of third world circumstances, the heaviest toll falls on children.

10. On the macroeconomic front, the new Government has shown commitment to addressing the untenable social situation. The head of State is championing political commitment based on the Convention and this has resuscitated zeal for development efforts. Most notably the Government has released for rehabilitation in the midst of the rebel war up to 570 child soldiers in accordance with the Convention. The Health and Education Plans of Action espouse the World Summit goals including the mid-decade goals (MDGs), and systems and mechanisms for greater efficiency and accountability in government as well as to curb corruption have been introduced. Already the budgets for health and education for the 1994/95 fiscal year saw an increase of 36 per cent and 52 per cent respectively over the previous year, reversing successive declines over the last decade. Much emphasis, including a substantial government contribution, is put on the SAPA programme and the Government has promulgated a policy of decentralization as a strategy for effectively reaching the people.

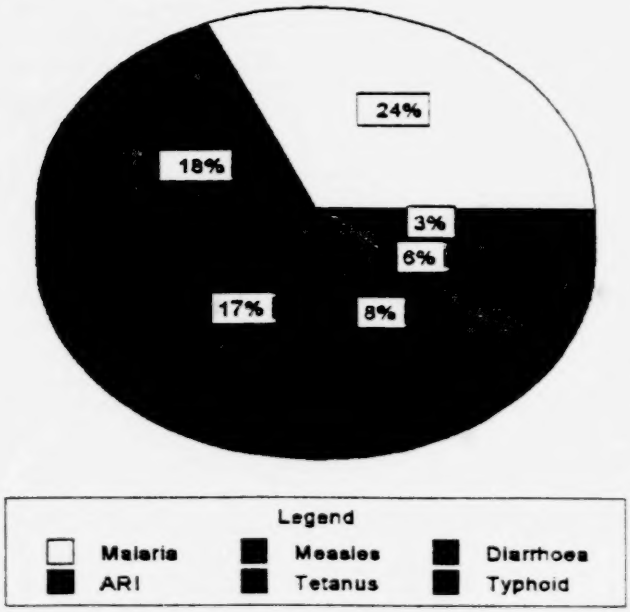
C. Situation analysis of children

11. The infant mortality rate (IMR) in Sierra Leone is estimated at 135 per 1,000 live births and under-five mortality at 229 per 1,000 live births. Current estimates put the rate of maternal mortality at 700 per 100,000 live births, one of the highest in the world; an estimated 17 per cent of all births occur to girls aged between 13 and 19 years. The Sierra Leonean's life expectancy of 44.7 years at birth is one of the world's lowest.

12. The predominant causes of infant deaths are diarrhoea (19 per cent), malaria (15 per cent), acute respiratory infection (14 per cent) and measles (12 per cent). The main causes of under-five deaths are malaria (24 per cent), measles (18 per cent), diarrhoea (17 per cent), acute respiratory infection (ARI) (8 per cent), tetanus (6 per cent) and typhoid (3 per cent). In both cases, malnutrition is a major contributory factor. Overall, only 43 per cent of the total population of the country has access to safe drinking water, the coverage for urban and semi-urban areas being 83 per cent and for rural communities 30 per cent. The rest of the people derive their drinking water from springs, swamps and rivers which are often contaminated. Most houses do not have proper refuse and excreta disposal systems; only 20 per cent of the rural and 68 per cent of urban communities have access to proper disposal of excreta. Poor access to and the poor quality of health services, poor environmental sanitation and hygiene and the high illiteracy rate as well as strong cultural beliefs in the supernatural are the underlying causes of most of these health problems.



Causes of Under-Five Deaths

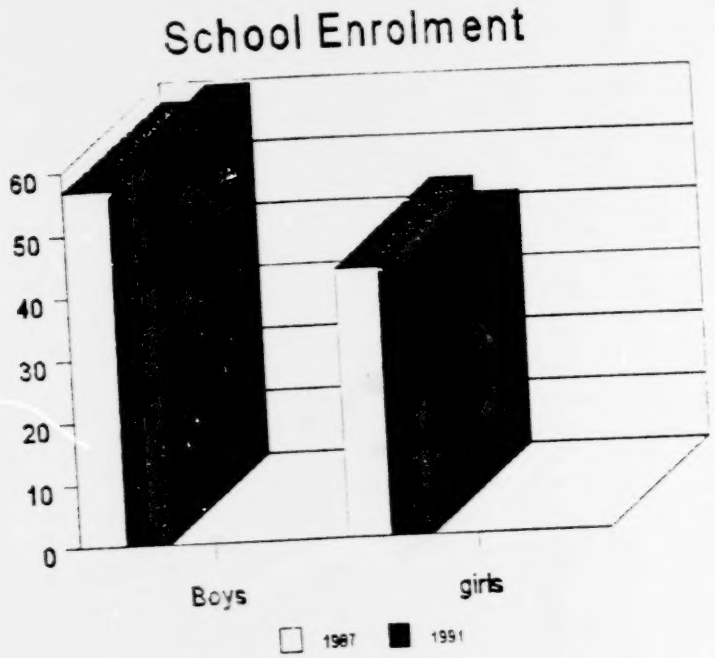


13. Twenty-nine per cent of the under-fives are underweight, 22 per cent stunted and another 6 per cent wasted. Moderate and severe stunting is highest (39 per cent) among children two to five years of age, while moder and severe wasting affects 18 per cent of the one to two-year-old children According to hospital records, 17 per cent of children are born underweigh Iodine deficiency disorders (IDD) are a major public health problem in the country; 53 per cent, 32 per cent and 12 per cent of a sample of schoolchildren were found to be suffering from severe, moderate and mild deficiencies, respectively. Data on other micro-nutrients are very doubtf they show that anaemia prevalence and severity are increasing but that vitamin A deficiency is not yet a problem.

14. Daily calorie intake per capita for Sierra Leone is 1,799 calories, 79 per cent of the requirement and the fourth lowest in the world. Inadeq food availability exacerbated by the war, poor feeding practices resulting from lack of awareness and poor health care are among the main underlying causes of the poor nutritional status.

15. School enrolment has been declining over the past decade with the mo marked decline, a 26 per cent drop, occurring during the period 1987 to 1 The year 1991-1992 registered an enrolment of 36 per cent of the primary school age group of which 59.4 per cent were boys and 40.6 per cent girls compared with 41 per cent in 1987 of which 57 per cent were boys and 43 per cent girls. Regional differences are, moreover, very pronounced; example, while the enrolment rate is estimated at 70 to 80 per cent in Greater Freetown, it is only around 20 per cent in some parts of the

Northern Province. Drop-out rates are generally high and highest between grades I and II at 25 per cent. Accessibility of schools and the quality as well as relevance of education are the main hindering factors. The adult illiteracy of 79 per cent in Sierra Leone is among the highest in the world. The rate for women is an astonishing 89 per cent! As repeatedly indicated, this is a major underlying and basic cause of many of the problems affecting children.



16. The available estimate of 45 per cent of (mostly girls) children between 10 and 14 years of age in the labour force is unacceptable, even given the symptomatic indicators of the drop in GNP, increase in school drop-out rates and decline in school enrolment.

II. GENERAL MEASURES OF IMPLEMENTATION

A. Preparation for ratification

17. Sierra Leone was the seventh country to sign the United Nations Convention on the Rights of the Child on 2 February 1990. The country deposited the instrument of ratification with the United Nations Secretary-General on 18 June 1990, thereby fulfilling its obligations and demonstrating the country's commitment to adhere to the provisions of the Convention.

18. A National Summit for Children held on 13 September 1990 adopted a six-point resolution including acceptance of the Convention as the basic standard against which the nations' actions would evolve. This was the climax of 196 mini-summits held at village, chiefdom, district and provincial levels.

19. Between August and September 1992, a draft National Programme of action (NPA) was prepared as a result of a series of workshops held to formulate district plans of action in line with the Convention on the Rights of the Child and the World Summit declaration. Unfortunately, the internal conflict, which started in March 1991, has derailed the implementation of the NPA.

B. Harmonization of national law and policies

20. On 2 January 1991, the National Council for Children (NCC) presented the National Constitutional Review Commission with some observations and recommendations on child labour, early child marriage, substance abuse and laws relating to juvenile justice. The Council strongly advocated for equal opportunities for children in especially difficult circumstances, the recognition of all human rights conventions and the removal from the Constitution of any provision(s) which contradict the Convention on the Rights of the Child.

21. In December 1994 the Sierra Leone Bar Association (SLBA) supported Government in a comprehensive review of the laws of Sierra Leone pertaining to children as required of States parties under article 41 of the Convention. The review clearly stated that existing legislation pertaining to children was fraught with inadequacies, inappropriate and out-moded and contained gaps on issues of particular relevance to child protection. It highlighted those areas incompatible with the Convention and made recommendations to effect changes. As a follow-up, Government and the SLBA, with support from UNICEF, are currently drafting "A New Comprehensive Bill on the Rights and Welfare of the Sierra Leonean Child".

C. Policy coordination and monitoring mechanisms

22. The Social Services Division of the Department of Health and Social Services is the principal coordinator of policies relating to children and for monitoring the implementation of the Convention. In addition, Government has decided to appoint desk officers in each government department to facilitate the monitoring of implementation of the Convention as well as to provide reports to the task force on progress and setbacks.

23. In pursuance of article 44 paragraph 6, a number of child welfare agencies participated in a multisectorial task force that prepared and finalized the report under the direction of the Social Services Division, Department of Health and Social Services. This final document will be widely distributed to all national and international child welfare organizations in Sierra Leone.

D. Publicizing the Convention

24. Measures undertaken to make the principles and provisions of the Convention widely known include, but are not limited to, the following:

(a) An NGO sensitization forum on the rights of the child held on 8 March 1990, followed by another NGO forum on the World Summit for Children on 14 June 1990;

(b) A Media Action Group for Child Survival, launched on 19 October 1990, to ensure widespread dissemination of the provisions of the Convention;

(c) A workshop organized by the National Council for Children in April 1992 to sensitize its members of the principles and provisions of the Convention;

(d) The Freetown City Council launched the Freetown Chapter for Children to create public awareness and mobilize public support for the implementation of the various articles of the Convention;

(e) A series of sensitization programmes on radio and television aimed at creating awareness about the provisions of the Convention.

III. DEFINITION OF THE CHILD

A. Age of majority

25. In section 1 (3) of the Sierra Leone Citizenship Act 1973 a person shall be of full age if he has attained the age of 21 years. A "child" is defined in the Education Act, Cap. 10 of the Laws of Sierra Leone, as "a persons under the age of 21 years". However, section 31 of the 1991 Constitution stipulates the voting age as 18 years.

B. Employment

26. Part V of the Employers and Employed Act, Chapter 212 of the Laws of Sierra Leone, makes several provisions for the employment of children.

(a) Section 47 (1) - No girl or woman of any age shall be employed in or allowed to be, for the purpose of employment, in any mine below ground;

(b) Section 48 - No girl or woman of any age, or boy who appears to be under 18 years of age, shall be employed during the night in any public or private industrial undertaking, or in any branch thereof, other than an undertaking in which only members of the same family are employed;

(c) Section 51 - Children who appear to be under the age of 12 years shall not be employed in any capacity whatsoever. The provisions of this section shall not apply to any child employed to perform light work of an agricultural, horticultural or domestic character by a member of the family of such child and which has been approved by the competent government authority; further, no such child shall be employed before six o'clock in the morning or

after eight o'clock in the evening on any day or for more than two hours on any day and such child shall not be required to lift, carry or move anything so heavy as to be likely to cause injury to him;

(d) Section 52 - Children who appear to be under 15 years of age shall not be employed or work in any public or private industrial undertaking or in any branch thereof, other than an undertaking in which only members of the same family are employed. The provisions of this section shall not apply to work done by such children in any government school or school approved and supervised by the Director of Education;

(e) Section 53 - Children who appear to be under 15 years of age shall not be employed or work in vessels, other than vessels upon which only members of the same family are employed. The provisions of this section shall not apply to work done by such children on any school, ship or training vessel approved by the Harbour Master of Freetown;

(f) Section 54 (1) - Male persons under the age of 16 years shall not be employed underground in mines;

(g) Section 55 (1) - Young persons under the age of 18 years shall not be employed or work in vessels as trimmers or stokers;

(h) Section 56 (1) - The employment of any young person under 18 years of age on any vessel shall be conditional on the production of a medical certificate attesting fitness for such work, signed by a duly qualified and registered medical practitioner.

C. Militarization

27. Section 16 (2) of the Royal Sierra Leone Military Forces Act 1961 provides for the voluntary enlistment into the armed forces: "A recruiting officer shall not enlist a person under the apparent age of seventeen and a half years unless consent to the enlistment has been given in writing by his parents or guardians or where the parents or guardians are dead or unknown, by the District Commissioner or an Assistant District Commissioner of the District in which such person resides or if he resides in an area where there is no District Commissioner, the Director of Social Development".

28. There is no minimum age requirement for conscription into the armed forces in the national legislation except the provision in the Geneva Convention that children below the age of 15 years should not be conscripted into the army. Sierra Leone is at present faced with a rebel war and an unfortunate aspect is the conscription of school children some of whom are less than 15 years old, by the rebel forces.

D. Age of marriage

29. Under customary law there is no minimum age of marriage as the girl child is given into marriage at a very tender age. In civil or Christian marriage, however, the minimum age is 18.

30. In section 2 of the Prevention of Cruelty to Children, Cap. 31 of the Laws of Sierra Leone, the word "child" has been defined to mean "a person under the age of sixteen years". Notwithstanding this definition, a girl child is given into marriage under customary law when she is far below 16 years.

E. Sexual consent

31. Sections 6 and 7 of Cap. 31 of the Laws of Sierra Leone make provision for the protection against sexual abuse of girls under 14 years, with or without their consent. Regrettably, the provisions are only academic in areas where customary law is practised and there is therefore the need for the harmonization of the law in this area.

32. The following offences are also created by Cap. 31:

Section 9 - Indecent assault and attempt to have carnal knowledge;

Section 10 - Procuration for prostitution;

Section 12 - Abduction of girls for immoral purposes;

Section 13 - Encouragement of seduction, prostitution or unlawful carnal knowledge by parents, guardians, etc.

F. Criminal responsibility and liability

33. A child below the age of 10 years is deemed to be incapable of committing a crime and therefore does not have any criminal liability. A child, juvenile or young person can voluntarily give testimony in court as long as he understands the difference between telling lies and telling the truth and also the importance and sacredness of taking the oath.

34. Section 24 (1) of Cap. 44 of the Laws of Sierra Leone states that "No child shall be sentenced to imprisonment". No young person shall be sentenced to imprisonment unless the court considers that none of the other methods legally available is suitable (sect. 24 (2)). Imprisonment is therefore a punishment of last resort. Section 24 (3) provides that "A young person sentenced to imprisonment shall so far as circumstances permit, not be allowed to associate with adult prisoners".

35. Alternative punishments include:

(a) Section 25 of Cap. 44 - discharging the child or young person without making an order;

(b) Order the child or young person to be repatriated at the expense of Government to his home or district of origin;

(c) Order the child or young person to be handed over to the care of a fit person or institution named in the order, such person or institution being ready to undertake such care;

(d) Section 2b - committal to an approved school;

(e) Order his parent or guardian to enter into a recognisance to exercise proper care and guardianship (sect. 27 (1) (h) (iii));

(f) Placing him for a specified period, not exceeding three years, under the supervision of a probation officer (sect. 27 (1) (h) (iv));

(g) Section 40 (1) - send the child or young person to a remand home.

G. Deprivation of liberty

36. Section 17 (1) of the 1991 Constitution protects the individual from the deprivation of his personal liberty.

H. Alcohol/drug consumption

37. It is an offence to sell alcohol to children below the age of 16 years.

IV. GENERAL PRINCIPLES

A. Non-discrimination

38. In section 6 (2) of the 1991 Constitution, provision is made for the State to promote national integration and unity and to discourage discrimination on the grounds of place of origin, circumstances of birth, sex, religion, status, and ethnic or linguistic association or ties. The State is therefore under an obligation to ensure that there is non-discrimination.

B. Best interests of the child

39. In the legal system of Sierra Leone, the child's best interest is paramount as is demonstrated by the courts in cases of adoption, divorce and offences involving children. In cases where custody is sought, the courts before granting such an application insist on convincing evidence to show that such custody will be in the best interest of the child and that the child will be properly taken care of. In some instances the court will interview the child to enable it to reach a good decision. The best interest of the child is the paramount consideration in procuring the emigration or repatriation of a child (sect. 19 (b), Cap. 31 of the Laws of Sierra Leone).

40. The children and young persons Act, Cap. 44 of the Laws of Sierra Leone, makes provision for the detention in the Approved School of guilty child offenders; section 36 (2) (a) provides that "If the manager of a school is satisfied that it is in the best interests of the person under supervision as aforesaid that such persons should be recalled to the school, the manager shall make application to the court for an order authorising him to recall such person to the school. Section 36 (2) (c) provides that if after hearing the manager of the school and after hearing what if anything the person in respect of whom the order is sought and his parent or guardian have to say, the magistrate is of the opinion that it is in the best interest of the said

person that he should be recalled, the magistrate shall make an order accordingly authorizing the manager to recall such person to the school, and the manager may hereupon recall to the school forthwith such person.

C. Right to life, survival and development

41. The right to life is guaranteed and protected in section 16 of the 1991 Constitution. Such protection is also afforded in section 4 (1) of Cap. 31 of the Laws of Sierra Leone, which even makes it an offence if a child is ill-treated, neglected, abandoned or exposed in a manner likely to cause such child unnecessary suffering to his health; and a parent is deemed to have neglected a child in a manner likely to cause injury to his health if he fails to provide adequate food, clothing, medical aid or lodging for the child. At least one prosecution has been instituted in the last two years against a mother for abandoning her newly born baby.

D. Respect for the view of the child

42. Though totally wrong, it was the general attitude of adults that children must be seen and not heard. This attitude is, however, gradually changing and the view of children are taken into consideration now in making decisions at home, school, in societies and associations and even at the national level. It has always been the practice to give children an opportunity to air their views in legal proceedings in which, though not parties in the action, they will be directly affected by the judgement or order, especially where custody is the issue. In cases where their rights are affected and they become parties in an action, they are fully represented by their "guardian ad litem".

V. CIVIL RIGHTS AND FREEDOMS

A. Name and nationality

43. Provision for the nationality of posthumous children is made in section 21 of the Sierra Leone Citizenship Act 1973 which states, inter alia, "Any reference in this Act to the national status of the father of a person at the time of that person's birth shall, in relation to a person born after the death be construed as a reference to the national status of the father at the time of his death".

44. Section 8 (4) of the Sierra Leone Citizenship (Amendment) Act 1976 provides:

> "Any person under the age of twenty-one years (a) whose father or mother was a citizen of Sierra Leone by naturalization; (b) born outside Sierra Leone on or after the date on which the father or mother became a citizen as aforesaid, may if he desires to acquire citizenship of Sierra Leone, make an application thereafter for naturalization under the foregoing provisions of this section."

B. Freedom of expression/association

45. Section 25 of the 1991 Constitution of Sierra Leone guarantees freedom of expression which includes the freedom to hold opinions and to receive and impart information without interference. There are, however, certain limitations to this freedom where it is in the interest of public safety, public health, defence, public morality or for protecting the reputation, rights and freedoms of other persons.

C. Freedom of thought, conscience, religion

46. Section 24 of the 1991 Constitution deals with the protection of freedom of conscience which includes the freedom of thought and religion, freedom to change one's religion or belief and freedom either alone or in community with others and both in public and in private to manifest and propagate one's religious belief in worship, teaching, practice and observance. It is further provided that no person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance, if it relates to a religion other than his own. In the case of minors the consent of parents or guardians will be required.

D. Access to appropriate information/education

47. Access to appropriate information is guaranteed in section 25 of the 1991 Constitution.

48. Section 9 requires the Government to ensure that all citizens enjoy equal rights and adequate education opportunities at all levels by providing education facilities at all levels, e.g. primary, secondary, vocational, technical, university, so that every citizen has the opportunity to be educated to the best of his ability, aptitude and inclination; by safeguarding the rights of vulnerable groups such as children, women and the disabled; and by providing the necessary structures, finance and supportive facilities for education as and when practicable.

E. Protection of privacy

49. Section 22 (1) of the 1991 Constitution provides that except with his consent no person shall be subjected to the search of his person or property or the entry by others onto his premises or interference with his correspondence, etc. except where such action is necessary for the health, safety, development and well-being of women, children and young persons, the aged and the handicapped.

VI. FAMILY ENVIRONMENT AND ALTERNATIVE CARE

A. Parental guidance and responsibilities

50. Section 13 (h) of the 1991 Constitution imposes a duty on citizens to ensure the proper control and upbringing of their children and wards. Unfortunately, about 95 per cent of the population are ignorant about this provision and to date no proceeding has been instituted under this section notwithstanding the flagrant violations by some parents and guardians.

B. Separation from parents

51. Cap. 31 of the Laws of Sierra Leone also makes provisions for the arrest of offenders and the protection of children. For example, section 16 states that where there is a complaint that a child is exposed to risk of seduction, prostitution, being carnally known or living a life of prostitution the court may adjudge her parents or guardians to enter into recognizance to exercise due care and supervision in respect of the child. Sections 17 and 18 give the police power to lodge the child in a place of safety pending the hearing.

52. The Children and Young Persons Act, Cap. 44 of the Laws of Sierra Leone, Part IV, makes provision for children and young persons in need of care and protection. Depending on the circumstances, such persons can be sent to an approved school or committed to the care of any fit person, whether a relative or not, or any institution willing to undertake his care until the child or young person attains the age of 18 years or for any shorter period, or his parent or guardian ordered to enter into a recognizance to exercise proper care and guardianship, or, without making any other order or in addition to making an order, the court may place him for a specified period, not exceeding three years, under the supervision of a probation officer or of some other person appointed for the purpose.

53. The Matrimonial Causes Act, Cap. 102 of the Laws of Sierra Leone, provides for the custody of children whose parents are divorced, judicially separated or whose marriage has been nullified. In any of those cases the court may from time to time, either before or by or after the final decree, make such provision as appears just with respect to the custody, maintenance and education of children.

C. Recovery of maintenance for the child

54. Section 19 of Cap. 31 of the Laws of Sierra Leone gives the court power to order the removal of a child from the custody of an unsuitable person. In cases where the court adjudges that a parent or guardian is an unsuitable person to have custody of a child, such court shall commit that child to a home or any other person and has power to order the parent or guardian to contribute towards the maintenance of that child.

D. Children deprived of a family environment

55. Sierra Leone is at present faced with a rebel war which has caused untold suffering and disruption of families resulting in the displacement of thousands of children, a good number of whom are separated from their parents. There are also refugee children who are here as a result of the war in Liberia. This is a new phenomenon in Sierra Leone and needs to be adequately addressed in the national laws.

E. Illicit transfers and adoption

56. The Adoption Act 1989 came into force on 13 December 1989 to provide for the adoption of children in Sierra Leone and for related purposes. This now prevents children from being "adopted" by foreigners and taken abroad without going through any formal procedure, as was the case in the past. This was an

unhappy state of events as a good number of children were "adopted" and take out of Sierra Leone by foreigners without going through any formal procedure and without the consent of the courts.

57. The court in an Adoption Order, may impose such terms and conditions a the court may think fit and in particular may require the adopter by bond or otherwise to make for the juvenile such provisions (if any) as in the opinio of the court are just and expedient.

F. Child abuse and neglect

58. Parents, guardians or any persons having the custody, charge or care o any child are under the obligation to take proper care of that child. It is an offence under section 4 (1) (d) of Cap. 31 of the Laws of Sierra Leone if any such person wilfully assaults, ill-treats, neglects, abandons or exposes such child or causes or procures such child to be assaulted, ill-treated, neglected, abandoned or exposed, in a manner likely to cause such child unnecessary suffering or injury to his health (including injury to or loss o sight or hearing or limb or organ of the body and any mental derangement) an a person is deemed to have neglected him in a manner likely to cause injury his health if he fails to provide adequate food, clothing, medical aid or lodging for the child. Under section 20 (1) of Cap. 31, where a child is committed to the care of any person, that person shall have the like control over that child as if he were the parent and shall be responsible for his maintenance and the child shall continue in the care of such person notwithstanding that he is claimed by his parent or any other person.

VII. BASIC HEALTH AND WELFARE

59. Following the change of Government on 29 April 1992, the Department of Health and Social Services of the National Provisional Ruling Council (NPRC) Government undertook important reforms in the health sector. A National Health Policy was formulated. This was accompanied by the National Health Action Plan establishing programme areas to address the major health problem of the country.

A. Survival and development

60. The high infant, child and maternal mortality rates resulting from mai preventable causes led to the implementation of health programmes focusing o the survival and development of the vulnerable groups, children and women.

61. Since the Almaty Conference, the Government of Sierra Leone has adopte Primary Health Care as the major strategy to promote health-care services to the population of this country. In this regard, emphasis has been placed on maternal and child health family planning services, provision of clean water and sanitation, and the control of communicable diseases.

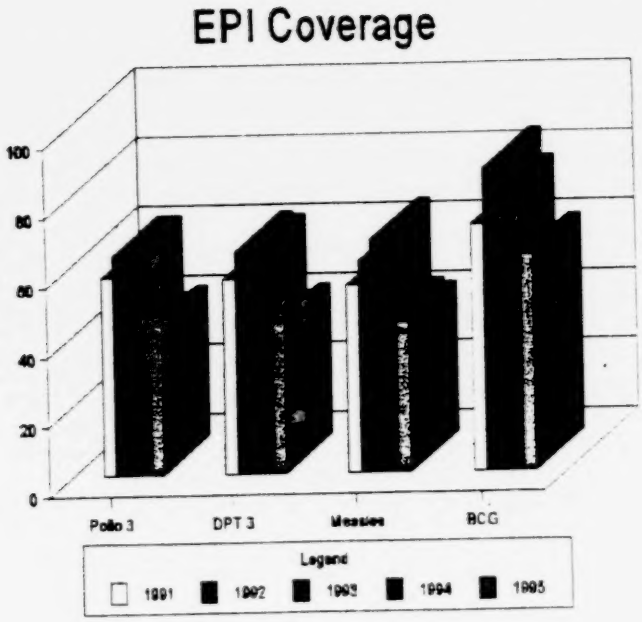
B. Maternal and child health family planning services

62. The implementation of this programme is expected to reduce significantly the infant and under-five mortality rates, as well as maternal mortality rates. Increased coverage of antenatal care and supervised delivery are expected to reduce the occurrence of low birth weight babies, whilst family planning services should reduce the fertility rate.

63. The present status of the various indicators and the levels for the year 2000 are as follows:

Indicator	Current status	Year 2000
Infant mortality rate (IMR)	135/1 000	70/1 000
Under-five mortality rate (U-5 MR)	273/1 000	130/1 000
Maternal mortality rate (MMR)	700/100 000	350/100 000
Tetanus toxoid (TT2)	60%	95%
Antenatal care (ANC)	56%	70%
Supervised delivery	40%	70%
Low birth weight	17%	10%
Oral rehydration therapy (ORT) coverage		
knowledge	80%	95%
use	70%	80%
Family planning		
accessibility	35%	70%
use	4%	10%
Total fertility rate (TFR)	6.5%	6%

Antigens	1991	1992	1993	1994	1995
Extended programme of immunization (EPI) coverage	%	%	%	%	%
BCG	71	87	79	56	62
DPT3/OPV3	56	64	63	41	43
Measles	54	61	67	44	43



C. Sanitation and safe water

64. The Water and Sanitation programme promotes health services which seek to improve the number of households with access to sanitation and safe drinking water.

Indicator	Current status	Year 2000
Sanitation	25%	70%
Urban	68%	
Rural	20%	
Safe drinking water	43%	70%
Urban	83%	
Rural	30%	

D. Nutrition

65. The Nutrition programme addresses the problem of poor nutritional status of the population, particularly children; it seeks to reduce significantly the number of children moderately or severely malnourished.

66. Results of a study conducted to assess the extent of iodine deficiency disorders (IDD) among schoolchildren in selected districts of the country show that 12 per cent, 32 per cent and 53 per cent of the children had mild, moderate and severe disorders respectively. As a result, the Government has

agreed on a policy of iodized salt and existing standards are being reviewed to incorporate the policy, starting from iodization of imported salt which accounts for 40 per cent of total salt consumption in this country. Already 92 per cent of imported salt is iodized, and equipment and supplies for iodization of locally produced salt are being installed in appropriate places.

Indicators	Current status	Year 2000
Nutrition		
Moderate malnutrition (U-5)	24%	12%
Severe malnutrition (U-5)	3.0%	1.5%
IDD		
Mild	12%	
Moderate	32%	
Severe	33%	
Salt iodization		
Imported	92%	100%
Locally produced	nil	80%

67. The extent of vitamin A deficiency has not yet been ascertained. However, the prevalence is presumed to be limited as the local diet consists of green vegetables and palm oil.

E. Disabled children

68. In line with the provisions of section 8 (3) f of the 1991 Constitution, the Social Services Division of the Department of Health and Social Services provides budgetary allocations to institutions that cater for the needs of disabled children, i.e. schools for the blind, deaf and dumb, Cheshire Home for handicapped children, SOS Villages and remand homes. To complement Government's efforts in the provision of services for the disabled, a non-governmental organization, the Sierra Leone Union on Disability Issues (SLUDI), has been formed. This is an umbrella organization completely run by the disabled themselves.

F. Health and health services

69. Since the NPRC Government came into power, the Department of Health and Social Services has undertaken important reforms in the health sector through:

(a) The approval in June 1993 of the National Health Policy indicating the overall direction and specific objectives for development of the health sector through the year 2000;

(b) The adoption in February 1994 of the National Health Action Plan (NHAP), which outlines the organization of health service delivery and health sector administration, establishes programme areas and estimates programme costs over the five-year period of the Plan.

70. The direction of the government health-care delivery system focuses on the development of preventive services while simultaneously strengthening the existing health delivery system, including Primary Health Care. As part of the long-term planning, a College of Medicine and Allied Health Sciences has been initiated to address in part the health manpower needs including health problems of the rural areas.

71. The strategic approach includes:

(a) The provision of a network of sound health facilities (primary, secondary, tertiary) appropriately staffed and logistically functional and accessible;

(b) Promotion of environmental health regarding basic sanitation measures relating especially to the supply of safe and adequate drinking water and improved sanitation in both urban and rural communities as well as the control of communicable diseases through the maternal and child health programmes such as the EPI, and also the adoption of public health services including the strengthening of health legislation;

(c) Promotion of community participation and involvement and intersectoral cooperation in health care delivery;

(d) The implementation of the Bamako Initiative further reinforced the Primary Health Care strategy. A major component of the BI was the active participation of the community in partnership with health care providers and donor agencies/NGOs in planning and providing health care services at the community level. Community representatives are involved in monitoring the Drugs Cost Recovery programme to ensure accountability and affordability of available health care services. They are also involved in the selection of women to be trained as traditional birth attendants in their community;

(e) Cooperation with international agencies and NGOs in the national drive towards better health for all with attendant genuine economic growth and social justice in the share of the national income and services, including health;

(f) Decentralization of the health care delivery system at regional and district levels;

(g) Privatization and "parastatalization" of certain services within the health care system.

G. Child care services and facilities

72. Child care services and facilities are provided both by Government and NOGs throughout the country. The Social Services Division of the Department of Health and Social Services acts in a supervisory role in the coordination

of these services and facilities. Government does not operate any day-care centres or crèches. This is carried out by NGOs and private individuals following guidelines set by Government. Orphanages are also run by NGOs, religious organizations and private individuals, mainly in the capital and major provincial towns of the country.

73. The rebel war that has been going on now for nearly five years has disrupted the social structure and caused the displacement and abandonment of children. Hundreds of children joined the armed forces. Some were conscripted into the government forces; others were abducted and forced to take up arms as rebels. In the middle of this rebel war, the NPRC Government ordered the demobilization of all child combatants. So far 570 child soldiers have been released by Government and 15 have also been released by the rebel forces.

74. In collaboration with international agencies, notably UNICEF, Government and NGOs have established programmes to cater for the needs of the children affected by the war. Reception and rehabilitation centres have been set up for the initial assessment and reintegration of the demobilized child soldiers, before their eventual placement into appropriate programmes. With the help of UNICEF, the Freetown City Council and Church organizations, drop-in centres have been established for street and unaccompanied children.

75. To complement Government efforts the National Council for Children (NCC) undertakes advocacy activities for the welfare of children.

76. The value of exclusive breast-feeding in the first four to six months of life is recognized and promoted. Several Government and private health care institutions are seeking to make their institutions "baby friendly" for child survival and development.

VIII. EDUCATION, LEISURE AND CULTURAL ACTIVITIES

A. National Education Policy

77. The guiding principles of the National Education Policy are:

(a) Each child should start formal education at age six;

(b) Every child should be encouraged to have some preparation and predisposition at nursery or kindergarten. This, however, is not a right yet, at this stage of our development, it is mainly given through private schools;

(c) Basic formal education should be nine years. It should be compulsory;

(d) Formal education should be broadbased with practical programmes that lead to skills acquisition.

78. The general aim of the new National Education Policy is the integral development of the individual for the building of: a free, just and peace-loving society; a democratic and harmonious society; a moral and disciplined society; a cohesive, healthy and strong nation with a sustainable and dynamic economy.

79. In this regard, education should be operated on the basis of partnership. It should be free of unwarranted discrimination, accessible to all, regardless of sex and ethnic, section, political or religious affiliation, in both formal and non-formal sectors. It should provide every citizen with an education that takes account of:

(a) The right of every child to basic education;

(b) Character development and cultivation of desirable attitudes;

(c) His/her interests, abilities and aptitudes;

(d) The manpower needs of the country;

(e) The need to correct gender imbalance;

(f) The country's economic resources with a view to ensuring that the education provided is of use to the country and at the same time of value to the individual in terms of achieving success in life.

B. Basic education

80. Basic formal education consists of six years of primary and three years of junior secondary schooling. Pupils are supposed to enter primary school at six years old, although the rule is not rigidly applied especially in the rural areas. At the end of their first six years in school, pupils take the National Primary School Examination (NPSE). Available figures show that the drop-out rate at primary school level is very high, up to 25 per cent between class I and II. The number of primary schools dropped from 1,850 in 1991 to 690 by the end of 1995, and these schools are mostly concentrated in the four main towns - Freetown, Bo, Kenema and Makeni. A study on the conditions of primary schools in Sierra Leone between October 1994 and January 1995 indicated that 50 per cent of the teachers were untrained and about 70 per cent of them were males. The enrolment rate of boys to girls was 60/40.

C. Tertiary education

81. Tertiary education is mainly offered by the University of Sierra Leone, comprising three constituent colleges (Fourah Bay College, Njala College, College of Medicine and Allied Health Sciences) and three institutes (Institute of Public Administration and Management, Institute of Adult Education and Extra-Mural Studies, Institute of Library Studies). The newly upgraded Milton Margai College of Education also offers tertiary education, along with several other teacher colleges.

D. Non-formal education

82. The non-formal primary education is now gradually being institutionalized within the community and government structure. The non-formal primary school system uses flexible timing and community management and provides the opportunity for pupils to continue education in order to complete their basic education at the primary school level.

83. To cater for the education of displaced children, the Department of Education, with UNICEF's support, has established camp schools to ensure their continuous education so that they too can be absorbed into the main regular school system. The camp school initiative now caters for over 2,400 children in the Western Area.

84. With the support of the Curriculum Development Unit of the University, Government has developed a curriculum on peace education, which hopefully is going to be introduced into all schools and child care institutions. This will enable children to learn the values of tolerance, peace, coexistence and non-violent skills for resolving conflicts.

IX. SPECIAL PROTECTION MEASURES

A. Children in situations of emergency

85. Sierra Leone's ongoing rebel war has resulted in the massive displacement of an estimated 690,000 children under 18 years of age of whom 145,000 are of primary school age. They have been hardest hit by the net capital outflow from the country, lack of private or public investment and a structural adjustment programme. With a majority of school structures destroyed, almost 70 per cent of children of primary school age are out of the school system and are faced with increased potential for high-risk behaviour and militarization.

86. About 2,500 child combatants have been involved in fighting on both sides of the conflict and in non-lethal roles. About 40 of these children have been demobilized and rehabilitated, and almost 50 per cent of them successfully reintegrated into their communities.

87. It is estimated that there are 5,000 unaccompanied and street children in Freetown and the major provincial towns. Non-residential "drop-in" centres have been established to provide basic health, education, recreation and psycho-social services to these children.

88. Some refugee children were held as rebel suspects and detained. In response to advocacy, the Government released all child rebel suspects.

B. Children in conflict with the law

89. The administration of juvenile justice is carried out by the Juvenile Court presided over by a qualified magistrate and two justices of the peace; this court does not adhere to the very strict rules of procedure. The Juvenile Court is established by virtue of section 3 of Cap. 4 of the Laws of Sierra Leone; in the Juvenile Court no person other than the members and officers of the court, the relatives of the accused and the parties to the

case, their advocates and persons directly concerned with the case shall, except by leave of the court, be allowed to attend; bona fide representatives of a newspaper or news agency may attend but "no person snall publish the name, address, school, photograph or anything likely to lead to the identification of the child or young person before the juvenile court" except with the permission of the court (sect. 3 (5), Cap. 44).

90. Under section 5, where a person under the age of 17 years is apprehended with or without a warrant and cannot be brought before a court, the officer in charge of the police station to which such person is brought shall release such person on a recognisance being entered into by him or by his parents or guardian, or other responsible person with or without sureties, unless:

(a) The charge is one of homicide or any offence with imprisonment for a term exceeding seven years; or

(b) It is necessary in the interest of such person to remove him from association with any undesirable person; or

(c) The officer has reason to believe that the release of such a person would defeat the ends of justice.

91. Section 6 imposes a duty on the Commissioner of Police to make arrangements for preventing, so far as practicable, a child or young person while in custody from associating with an adult, other than a relative, charged with an offence.

92. Under section 16, "If the child or young person admits the offence and the court accepts the pleas or if after hearing the witnesses the court is satisfied that the offence is proved, the court shall record that the offence is proven and shall then, except in cases where the circumstances are so trivial as not to justify such a procedure, obtain such information as to his character, antecedents, home life, health and occupation as may enable it to deal with the case in the best interest of the child or young person and may put to him any questions arising out of the information". The court has power under section 17 to require the attendance of a child or young person charged with an offence.

93. As has already been stated, "No child shall be sentenced to imprisonment unless the court considers that none of the other methods of dealing with the child is suitable".